

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice T.RAJA

CRIMINAL ORIGINAL PETITION No.6299 of 2020

T.KALIDOS

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
TH EINSPECTOR OF POLICE,
PERALAM POLICE STATION,
THIRUVARUR DISTRICT
CR.NO.111 OF 2020.

[RESPONDENT]

For Petitioner : M/S.R.BASKAR Advocate

For Respondent : MR. C.IYYAPPARAJ, ADDL. PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 24 Maintenance and Welfare of Parents and Senior Citizens Act 2007, and 294(b), 506(1) IPC, in Crime No.111 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the mother of the petitioner. The petitioner has not paid any maintenance to the defacto complainant and abused her with filthy language and also locked the house of the defacto complainant. Hence, the complainant.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the 4th Son of the defacto complainant. The petitioner's mother was aged about 67 years and is being taken care of by him presently although she is having three other sons. She is not having the patience to adjust with her own grand daughter of the defacto complainant. However, the 4th son is presently taking care of the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner is the 4th son of the complainant. The petitioner has not paid any maintenance amount to the defacto complainant. He would also submit that the complainant is now staying with her 3rd son. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the above facts and circumstances, and the fact that the petitioner is now taking care of the complainant, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Nannilam, Thiruvavarur District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of this Court concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
18/03/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NANNILAM, THIRUVARUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

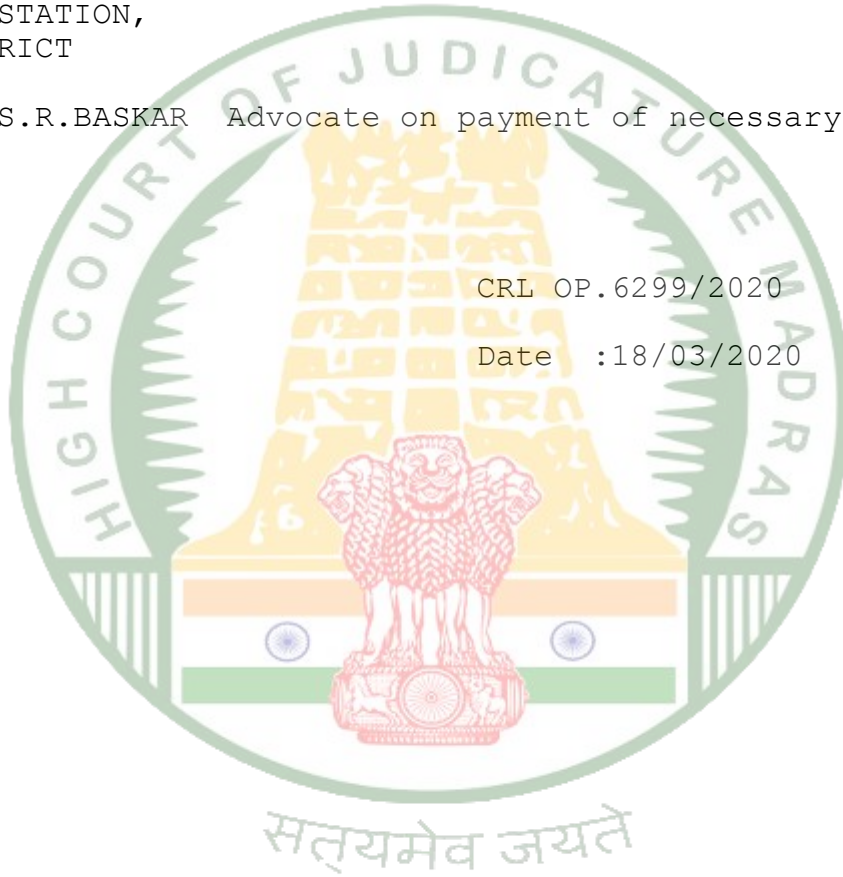
4 THE INSPECTOR OF POLICE,
PERALAM POLICE STATION,
THIRUVARUR DISTRICT

+1 CC to M/S.R.BASKAR Advocate on payment of necessary charges
SR.NO. 5318

CRL OP.6299/2020

Date :18/03/2020

RD 20/03/2020



WEB COPY